

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

THIS DOCUMENT RELATES TO
State of Arizona v. Abbott Labs., Inc., et al.,
06-CV-11069-PBS

)
) MDL NO. 1456
)
) CIVIL ACTION NO. 01-CV-12257-PBS
)
) Hon. Patti B. Saris
)
)
)
)

**DECLARATION OF KATHERINE B. SCHMECKPEPER IN SUPPORT OF
DEFENDANTS ASTRAZENECA PHARMACEUTICALS LP
AND ZENECA INC.'S MOTION TO DISMISS THE
PLAINTIFF STATE OF ARIZONA'S FIRST AMENDED COMPLAINT**

I, Katherine B. Schmeckpeper, declare as follows:

1. I am an attorney with Foley Hoag LLP, counsel for Defendants AstraZeneca Pharmaceuticals LP and Zeneca Inc. (collectively, "AstraZeneca") in this action. I submit this declaration in support of Defendants AstraZeneca Pharmaceuticals LP and Zeneca Inc.'s Motion to Dismiss the Plaintiff State of Arizona's First Amended Complaint.

2. Attached as Exhibit A is a true and correct copy of AstraZeneca's Settlement Agreement with the State of Arizona.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: September 19, 2008

By: /s/ Katherine B. Schmeckpeper

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on September 19, 2008, a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Katherine B. Schmeckpeper

